

REMARKS

Claims 1-12 are all the claims pending in the application.

1. Claim Rejections Under 35 U.S.C. § 112

The Examiner has rejected claim 10 under 35 U.S.C. § 112, second paragraph, as allegedly being indefinite. Applicant submits that the amendments to claim 10 obviate the rejection.

2. Claim Rejections Under 35 U.S.C. § 102

The Examiner has rejected claims 1-8 under 35 U.S.C. § 102(e) as being anticipated by Hosokawa *et al.* (US 6,341,202) [“Hosokawa ‘202”]. For at least the following reasons, Applicant traverses the rejection.

Claim 1 recites a digital camera having plural modes that comprises “a light source for lighting said indicator, indicating at least two conditions of said digital camera by lighting state of said indicator, said conditions of the digital camera being unrelated with said opted mode.” The Examiner contends that correlator 121 corresponds to the claimed mode selecting operation member and correlators 124a-124m correspond to the claimed plural symbols.

The Examiner contends that because correlators 124a-124m are illuminated when the power of the camera is ON, the indicator that illuminates the correlators 124a-124m indicates a condition (i.e., the power ON state of the camera) unrelated to the opted mode. Even if, for the sake of argument alone, the power ON state would be unrelated to the selected operating mode of the camera disclosed in Hosokawa ‘202, Applicant submits that it only represents one state.

Hosokawa '202 does not disclose or suggest that the indicator be lit to indicate an another condition of the camera that is unrelated to the selected mode of operation. Accordingly, Hosokawa '202 does not disclose or suggest “a light source for lighting said indicator, indicating at least two conditions of said digital camera by lighting state of said indicator, said conditions of the digital camera being unrelated with said opted mode” as set forth in claim 1. (emphasis added).

In addition, if, for the sake of argument alone, correlators 124a-124m did correspond to the claimed plural symbols, then the alleged light source would light the alleged symbols, not the alleged indicator. Accordingly, the Examiner's contentions still would not disclose “a light source for lighting said indicator “as set forth in claim 1. (emphasis added).

Because claims 2-8 depend on claim 1, Applicant submits that these claims are patentable at least by virtue of their dependency.

The Examiner has rejected claim 1 under 35 U.S.C. § 102(e) as being anticipated by Hosokawa *et al.* (US 6,351,609) [“Hosokawa '609”]. For at least the following reasons, Applicant traverses the rejection.

Claims 1 recites a digital camera having plural modes that comprises “an indicator to be set to one of said plural symbols by operating said mode selecting operation member, a mode corresponding to said symbol being chosen and indicated by said indicator.” The Examiner contends that LDC 45 corresponds to the claimed indicator. The Examiner also contends that mode disk 123, which is an indicating plate with characters (col. 6, lines 60-67), corresponds to the claimed plural symbols.

Hosokawa '609 discloses that LCD 45 starts to indicate after mode dial 121 is actuated (col. 8, lines 65-67). At most, Hosokawa '609 discloses that LCD 45 provides information such as shutter speed and aperture value (col. 9, lines 1-3). There is no disclosure or suggestion that LCD 45 provides information with respect to the characters on mode disk 123, which the Examiner contends corresponds to the claimed plural symbols.

Because LCD 45 does not provide information with respect to the characters on mode disk 123 or which mode was selected, Applicant submits that Hosokawa '609 cannot anticipate the feature "an indicator to be set to one of said plural symbols by operating said mode selecting operation member, a mode corresponding to said symbol being chosen and indicated by said indicator" as set forth in claim 1. (emphasis added).

3. Allowable Subject Matter

Applicant thanks the Examiner for finding allowable subject matter in claims 9, 11 and 12 and for indicating that these claims would be allowable if rewritten in independent form. Applicant also thanks the Examiner for indicating that claim 10 has allowable subject matter if the §112, second paragraph, rejection is overcome.

Applicant has rewritten claim 9 in independent form and submits that the modifications to claim 10 overcome the §112, second paragraph, rejection. Please note that Applicant has also made minor modifications to claims 11 and 12 for clarity and precision of language. Accordingly, Applicant submits that claims 9-12 are allowable.

4. Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.


Respectfully submitted,

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